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November 30, 2005

Via ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
236 Massachusetts Avenue, N.E.
Suite 110
Washington, D.C. 20002

Re: Facility ID No. 33543
KATV(TV), Little Rock, Arkansas
KATV's Section 339(a)(D)(vii) Waiver Request
MB Docket No. 05-317

Dear Ms. Dortch:

KATV, LLC ("KATV"), licensee of KATV(TV), NTSC Channel 7/DTV Channel 22, Little Rock, Arkansas, by its undersigned counsel, hereby requests a waiver of the April 30, 2006, DTV signal strength testing deadline authorized by the Satellite Home Viewer Extension and Reauthorization Act of 2004 ("SHVERA"). This waiver request is filed pursuant to the Commission's recent Public Notice announcing the deadline for filing SHVERA signal strength waivers for network affiliates in the top-100 markets.¹ KATV requests an extension because it experiences a significant decrease in DTV coverage from its current side-mounted DTV STA operation.²

As demonstrated below, KATV is in the process of replacing its top-mounted analog channel 7 antenna with a combined channel 7/22 antenna. Once this antenna replacement has been completed, KATV will provide coverage to its maximized DTV service area. Until then, KATV is operating a side-mounted DTV STA facility that does not and cannot provide

¹ Public Notice, "DTV Station Requests for Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004 to be filed by November 30, 2005 on February 15, 2007," DA 05-2979, released November 17, 2005.

² See 47 U.S.C. § 339(a)(2)(D)(viii)(IV).

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service to its maximized DTV service area. See FCC File No. BEDSTA-20050504ACW. This side-mounted DTV STA operation was necessitated, in significant part, by severe windloading constraints on KATV's tower. For these reasons, KATV requests a waiver of the April 30, 2006 DTV signal strength testing deadline.

KATV is the ABC affiliate in the Little Rock-Pine Bluff, Arkansas DMA, which is one of the top-100 markets in the U.S. KATV has a maximized DTV construction permit to operate from its current analog transmission site with an ERP of 750 kW and an HAAT of 574 meters (1883 feet). See FCC File No. BPCDT-19991027ABF. KATV certified on Form 381 that it would build-out these facilities (or the equivalent thereof) on its post-transition DTV channel. See FCC File No. BCERCT-20041105AWQ. On June 8, 2005, the Commission issued to KATV a tentative channel 22 designation for its post-transition DTV operations.³

KATV has been unable to complete construction of its maximized DTV facility because, *inter alia*, the FCC only recently approved a pending minor modification application seeking permission to replace KATV's top-mounted, analog antenna with a combined NTSC 7/DTV 22 antenna. See FCC File No. BPCT-20050308ABM. The replacement of KATV's top-mounted analog antenna with a combined NTSC/DTV antenna is necessary to allow KATV to provide maximized DTV coverage to the Little Rock market and because of severe windloading constraints on its 1859 foot broadcast tower.⁴ Despite KATV's substantial efforts to strengthen its broadcast tower, the tower is at or very close to its windload capacity. As a result, KATV was required to create a unique technical proposal that did not increase tower windload but nonetheless allowed the addition of its 750 kW DTV operation at a sufficient height to cover its maximized service area while, at the same time, preserving the full-power analog operations of KATV (channel 7). An antenna like the kind proposed by KATV in the underlying analog application, which combines an analog and a digital signal separated by 15 channels (and even more spectrum), only recently became commercially available following significant improvements in the design and manufacture of digital antennas.

Following the Commission's grant of KATV's analog construction permit application in early September 2005, KATV is working through the ordering process for the combined antenna, transmission line, combiners and other equipment needed to complete the antenna swap-out. KATV has also begun the process of identifying and completing any necessary modifications to its transmitter building to accommodate the specially designed equipment needed to combine KATV's analog and digital signals. The total cost of this antenna swap-out is estimated to exceed \$3 million.

As demonstrated above, KATV has been unable to complete construction of its maximized DTV facilities due to circumstances beyond its control. Until this maximized facility

³ Public Notice, "DTV Tentative Channel Designations for 1,554 Stations Participating in the First Round of DTV Channel Elections," DA 05-1743, released June 23, 2005 & Accompanying Table.

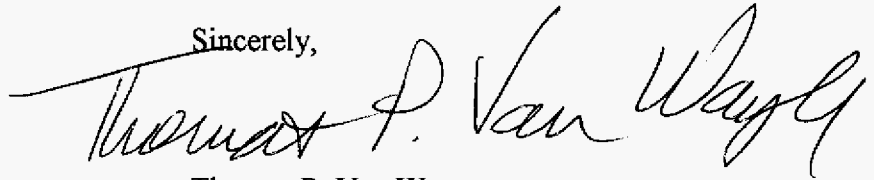
⁴ The overall height of KATV's tower with the top-mounted analog antenna is approximately 2,000 feet.

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can be completed, KATV will experience a substantial decrease in its DTV coverage due to its current side-mounted DTV STA operation. For all these reasons, KATV submits that it has satisfied one of the waiver criteria specified in SHVERA that the FCC should therefore grant the instant request waiver of the DTV signal strength testing deadline.

Please direct any questions regarding this request to the undersigned.

Sincerely,

A handwritten signature in cursive script, reading "Thomas P. Van Wazer". The signature is written in dark ink and is positioned above the printed name.

Thomas P. Van Wazer